

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

MARVIN R. A. MANSON	:	
Plaintiff,	:	Case No. 3:07CV406
	:	
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
BEHR DAYTON THERMAL PLANT, LLC, <i>et al.</i> ,	:	
Defendants.	:	

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**ORDER**

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The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #17), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on May 29, 2008 (Doc. #17) is ADOPTED;
2. Plaintiff's Complaint is DISMISSED without prejudice for lack of prosecution and failure to respond to an Order of the Court.
3. This case is terminated on the docket of this Court.

June 19, 2008

**THOMAS M. ROSE**

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Thomas M. Rose  
United States District Judge